

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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JANE DOE,

Plaintiff,

v.

Case No.: 1:22-cv-00815

ERIE COUNTY,  
TIMOTHY B. HOWARD, Individually and in his  
Capacity of Sheriff of Erie County, New York,  
THOMAS DIINA, Superintendent of the Jail  
Management Division, and  
ROBERT M. DEE, Erie County Sheriff's Office  
Deputy of Erie County Holding Center,

Defendants.

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WHEREAS, a Decision and Order was entered on September 5, 2024, in connection with the above action which provides that with the exception of any grand jury materials the Erie County District Attorney "ECDA" shall comply with the subpoena subject to the entry of a protective order maintaining the confidentiality of the identity of any alleged sexual assault victims (Dkt. 58); and

WHEREAS certain documents contain information that could permit a third party to ascertain the identity of any alleged sexual assault victims ("Confidential Documents");

NOW upon a Motion (Dkt. 59) having been heard on October 31, 2024, it is hereby:

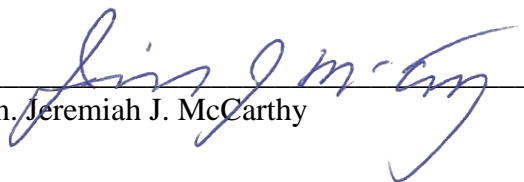
**ORDERED**, that

1. Information contained within the documents produced by the ECDA that reflects the identity of victims (including victim's names or personal identifying information) shall be treated as "Confidential Information";

2. Confidential Information shall be maintained in confidence by Plaintiff and counsel and may be disclosed by them only to authorized persons entitled to access thereto under Paragraph 3, below.
3. Except upon Order of the Court, or by express written consent of counsel for the ECDA, Confidential Information shall not be discussed, revealed, or disclosed in any manner or form by Plaintiff's counsel with or to any person other than:
  - a. Counsel for plaintiff, members, and associates of their firms or divisions, and employees/agents of those firms or divisions; including experts and consultants assigned or retained to assist counsel in the prosecution, defense, or settlement of this proceeding, provided that the Plaintiff is required to provide a copy of this order to all individuals or entities to whom disclosure is necessary during the course of this litigation, and as a prerequisite, have each individual and/or entity sign an acknowledgment that said individual and/or entity has read and is bound by the terms of this order;
  - b. Any other person who is subsequently designated either by agreement of the parties after a request by one of them, or by order of the Court. The recipient of Confidential Information shall maintain such information in written or electronic format in a secure and safe area and shall exercise due and proper care with respect to the storage, custody, and use of all such information.

4. That in all papers filed in this action, and all judgments, orders, decisions, notices to or from the Court, and any other documents relating to this action, Confidential Information shall be redacted.

SO ORDERED, this 1st day of November, 2024.

  
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Hon. Jeremiah J. McCarthy